

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

JURY QUESTIONNAIRE

- against -

10-CR-19 (S-4)(RJD)

ADIS MEDUNJANIN,

Defendant.

-----X

The Honorable Raymond J. Dearie
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

THIS PAGE IS THE QUESTIONNAIRE COVER SHEET
PLEASE TEAR OFF THIS PAGE
AND TAKE IT WITH YOU

After you are excused today, please CALL the following telephone number on [DATE] after 4:30 p.m. Upon calling, you will receive instructions about the date on which you are to report back to court. It is extremely important that you know the juror number written on the top of this form when you make your call. THANK YOU.

Phone number: 1-800-522-5100
Date to call:
Time to call: After 4:30 p.m.

**THE ANSWERS TO THE QUESTIONS ON THIS PAGE WILL BE DISCLOSED
ONLY TO THE APPROPRIATE COURT PERSONNEL
AS DIRECTED BY THE PRESIDING JUDGE**

Please print the following information:

Name:

Home Address:

Home Phone:

Job & Department:

Business Address:

Business Phone (Including Extensions):

I hereby certify that the foregoing information, and all of the answers in this questionnaire, are true, correct, and complete to the best of my knowledge.

Date:

SIGNATURE

JUROR QUESTIONNAIRE
PRELIMINARY INSTRUCTIONS

Upon your oath or affirmation, you must give true and complete answers to all questions. These questions are not meant to ask unnecessarily about personal matters. Rather, these questions will help the Court determine whether you can be fair and impartial in deciding this case and will also provide information about you as a juror to help the parties select a jury. Part of the selection process depends on your ability and promise to follow the law as it is explained by the Court. Thus, some of the questions include descriptions of legal principles and ask whether you can conscientiously follow them.

All of your responses will remain completely confidential. Do not discuss the questions or answers with anyone, including your fellow jurors. It is extremely important that your answers be your own, individual answers.

It is a common practice followed in many cases in Federal court, especially where there may be media attention to the case, to keep the names and identities of the jurors in confidence. This is in no way unusual.

This is a criminal prosecution by the United States. The defendant, Adis Medunjanin, is charged in an indictment with criminal offenses. An indictment is simply the means by which the government gives the defendant notice of the charges against him and brings him before the court. The indictment is merely an accusation, and nothing more. It is not evidence and is not to be considered by the jury in arriving at a verdict. In response to the indictment, the defendant pled “not guilty.” He is presumed to be innocent unless and until his guilt has been proven by the government beyond a reasonable doubt. If you are selected as a juror in this case, it will be your duty to determine whether based on the evidence presented at the trial, the government has proven

Juror # _____

beyond a reasonable doubt that the defendant is guilty of the crimes charged in the indictment. If the government does not meet its burden of proof, you must find the defendant not guilty.

In this criminal case, the defendant is charged by way of an indictment with: (1) conspiracy to use weapons of mass destruction; (2) conspiracy to commit murder in a foreign country; (3) providing material support to a foreign terrorist organization; (4) conspiracy to provide material support to a foreign terrorist organization; (5) receiving military-type training from a foreign terrorist organization; (6) conspiracy to commit an act of terrorism transcending national boundaries; (7) attempt to commit an act of terrorism transcending national boundaries; and (8) two counts of possession of a firearm in furtherance of a crime of violence. These acts allegedly occurred between approximately January 2008 and January 2010.

This is just a summary of the charges to give you some background on the case. The court will instruct the jury as to the elements of the crimes charged and the applicable law at a more appropriate time during trial.

Please answer each question by placing a check next to the correct response or by providing the information requested. Please write your assigned juror number in the space provided at the bottom of each page, as indicated. Please try to write as legibly as possible. The Court instructs you not to discuss the questionnaire or your answers with your fellow jurors or anyone else.

Remember, there are no “right” or “wrong” answers; just be completely candid and truthful.

PART I: QUESTIONS ABOUT YOUR BACKGROUND

(Questions 1 through 33)

Part I asks questions about you and your background, and very general questions about your family.

1. Do you have any difficulty reading or understanding English?

☐ Yes ☐ No

2. What other languages, if any, do you read or understand?

3. Do you have any physical problem (for example, sight or hearing difficulties) that would interfere with your ability to serve as a juror?

☐ Yes ☐ No

If yes, please describe: _____

4. What is your age: _____

5. Are you: Male _____ Female _____

6. Where were you born? _____

7. Where were you raised? _____

8. Where were your parents born? _____

9. What is your marital status? _____

10. Where do you live? **(Please do not provide your street address)**

☐ Brooklyn ☐ Queens ☐ Staten Island ☐ Nassau ☐ Suffolk

City/Town _____ Neighborhood (if any) _____

11. How long have you lived at your current residence? _____

Juror # _____

12. Do you own your home? ☐ Yes ☐ No
Do you rent? ☐ Yes ☐ No
Do you live with others? ☐ Yes ☐ No
13. What other states, cities or neighborhoods have you lived in during the past 10 years?

14. How far did you go in school?
- Elementary School ☐ Yes ☐ No
High School ☐ Yes ☐ No Grade Completed _____
College ☐ Yes ☐ No Years Completed _____
- If yes, what was your area of concentration?

- Graduate or Post Graduate ☐ Yes ☐ No Degree Earned _____
- If yes, what was your area of concentration?

- If you are currently a student, what are you studying?

15. Are you: (Check any and all that apply)
- | | | | |
|----------------------------------|--------------------------|------------------------------|--------------------------|
| Employed full-time? | <input type="checkbox"/> | Unemployed/laid off? | <input type="checkbox"/> |
| Employed part-time? | <input type="checkbox"/> | Retired? | <input type="checkbox"/> |
| Employed with more than one job? | <input type="checkbox"/> | Disabled and unable to work? | <input type="checkbox"/> |
| Work at home? | <input type="checkbox"/> | Student? | <input type="checkbox"/> |
| Homemaker? | <input type="checkbox"/> | | |

16. If you are employed, please answer the following:

- (a) What type of work do you do and what type of business is it? **(Please do not provide the name or address of your employer)**

- (b) How long have you worked at your present job? _____

- (c) Do you supervise others in your job?

☐ Yes ☐ No

If yes, for how long have you been a supervisor? _____

17. Are you self employed?

☐ Yes ☐ No

If yes, what is the nature of your business **(please do not say the name of your business)**?

18. If retired or unemployed, how long have you been retired or unemployed, and what type of work did you do previously?

19. If you are married or involved in a long term relationship, please answer the following questions about your spouse/domestic partner:

(a) Is your spouse/domestic partner employed?

☐ Yes

☐ No

☐ N/A

If so, what type of work/business? **(Please do not provide the name or address of the employer)**

(b) If your spouse/domestic partner is retired or not employed, please indicate the type of work he/she did during his/her last period of employment.

20. If you have children, please fill out the following chart:

<u>AGE</u>	<u>GENDER</u>	<u>EDUCATION LEVEL</u>	<u>OCCUPATION</u>
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_____	_____	_____	_____
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_____	_____	_____	_____
-------	-------	-------	-------

_____	_____	_____	_____
-------	-------	-------	-------

_____	_____	_____	_____
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21. What are your hobbies / interests? What do you like to do in your spare time?

22. What newspapers, books, magazines or websites do you read or visit on a regular basis?

23. What television shows do you watch most often, including any news or opinion shows, and how often do you watch them?

24. What recent criminal trials, if any, have you followed in the newspapers or on television?

25. In the past ten years, what social clubs, organizations or volunteer groups have you belonged to or supported, including any groups taking a position on social or legal issues?

- (a) Have you ever held a position of leadership in any organization or group?

☐ Yes ☐ No

If yes, please describe the group and your position:

26. How often do you seek out positions of leadership at work or with other group activities:

☐ always ☐ often ☐ sometimes ☐ seldom ☐ never

27. Please list the person you most admire (if listing a relative or friend, please only list their relation to you and not their name):

28. Have you, a family member, or close friend ever worked in any aspect of the legal field as a lawyer, legal secretary, paralegal, investigator, law clerk, judge, court employee, etc.?

☐ Yes ☐ No

- (a) If yes, what is that person's relationship to you, when and where did they work?
(Please do not provide the person's name)

29. Have you, or has a family member or close friend worked or applied for a position in any law enforcement agency, including the U.S. Attorney's Office, the New York City Police Department ("NYPD"), the Federal Bureau of Investigation ("FBI") or the Joint Terrorism Task Force?

☐ Yes ☐ No

- (a) If yes, what is that person's relationship to you, when, where and what agency?
(Please do not provide the person's name)

30. Have you ever taken any courses in, worked in, or had significant personal contact with the fields of law, criminal justice, criminology or other related areas?

☐ Yes ☐ No

- (a) If yes, please describe the course and/or experience(s).

31. Do any of your relatives or close friends work for a criminal lawyer or private investigator?

☐ Yes ☐ No

- (a) If yes, please explain the nature of their work and their relationship to you.

32. Have you, a close family member or close friend ever served in the military, including the reserves, National Guard or ROTC?

☐ Yes ☐ No

- (a) If yes, what is that person's relationship to you? **(Please do not provide the person's name)**

- (b) For what country did you or that person serve in the military? (please check one)

☐ United States
☐ Other (please specify country) _____

- (c) What branch, rank and/or duties did you or that person have?

- (d) Did you or that person serve in court martials as defense attorney, prosecutor, investigator or juror?

☐ Yes ☐ No

- (e) Year of discharge from military? _____

- (f) Was an honorable discharge received?

☐ Yes ☐ No

- (g) Did you or that person serve in a combat or military zone, whether in Afghanistan, Iraq, or elsewhere?

☐ Yes ☐ No

33. Have you ever been a juror?

☐ Yes ☐ No

(a) If yes, please complete the chart below:

Year of Service	State or Federal	Grand Jury or Trial Jury	Criminal or Civil	Was there a verdict (Yes or No only)?
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

(b) Have you ever been a juror in a case that was dismissed because the jury was deadlocked (i.e., could not reach a verdict)?

☐ Yes ☐ No

(c) Is there anything about your prior jury service that would affect your ability to be a fair and impartial juror in this case?

☐ Yes ☐ No

If yes, please explain _____

PART II: QUESTIONS ABOUT YOUR EXPERIENCES AND BELIEFS

(Questions 34 through 49)

Part II asks questions about experiences you may have had and opinions you may have formed. Again, there are no “right” or “wrong” answers. Please just be as thoughtful and candid as possible.

34. Do you have any opinions or beliefs concerning law enforcement in general -- including, the NYPD, the FBI, or the Department of Justice -- that would affect your ability to evaluate the evidence in this case fairly and impartially?

☐ Yes ☐ No

If yes, please explain _____

35. Have you, or has a family member or close friend, ever been a witness to or the victim of a crime?

☐ Yes (self) ☐ Yes (friends/family) ☐ No

If yes, please describe the circumstances surrounding the incident(s) and your relationship to the person(s) involved.

- (a) Was the crime reported to the police or other law enforcement agency?

☐ Yes ☐ No

- (b) If yes, did law enforcement personnel respond appropriately?

☐ Yes ☐ No

If no, please explain _____

36. Have you, a family member or close friend ever been stopped, questioned, investigated, arrested or prosecuted by any law enforcement officer or agency?

☐ Yes (self) ☐ Yes (friends/family) ☐ No

If yes, do you believe that you or your family member or friend were fairly treated in connection with such matter?

☐ Yes ☐ No

- (a) If no, please explain your relationship to the person(s) involved and why you believe that you or the person(s) involved was not treated fairly.

37. Have you, a family member or close friend ever been a witness in a court proceeding?

☐ Yes (self) ☐ Yes (friends/family) ☐ No

If yes, please describe the circumstances:

38. Do you have, or have you ever had, a close friend or family member in prison?

☐ Yes (self) ☐ Yes (friends/family) ☐ No

If yes, please describe the circumstances:

39. Have you or a family member ever had business dealings with a federal, state or city government or agency?

☐ Yes (self) ☐ Yes (friends/family) ☐ No

If yes, please describe the business dealings:

40. You may hear testimony from or about the people listed on **Attachment A** during the trial. Please turn to **Attachment A** at the end of this packet, and circle the name of any person or place that you know or have any connection with.

Have you read or heard about someone on the list or any of the places mentioned?

☐ Yes ☐ No

If yes, please explain _____

41. Do you have any feelings about Muslims, or the religion of Islam, or people from Bosnia that would affect your ability to be fair and impartial in a case against a Muslim defendant?

☐ Yes ☐ No

If yes, please explain _____

42. Do you have any bias, sympathy, or prejudice toward either the defendant or the government in this case?

☐ Yes ☐ No

If yes, please explain _____

43. Have you ever been a victim of racial, ethnic or religious prejudice or discrimination?

☐ Yes ☐ No

If yes, please explain_____

44. Is there anything about your background or personal or religious beliefs that would prevent you from sitting in judgment of another person in a criminal trial or lead you to render a verdict without regard to the law or the evidence?

☐ Yes ☐ No

If yes, please explain_____

45. The oath you will take if you are selected as a juror is as follows: "I will fairly and impartially evaluate all the evidence in this case without fear or favor toward either the government or the defendant." Is there any reason why you will be unable to follow this oath?

☐ Yes ☐ No

If yes, please explain_____

46. There is much discussion these days about terrorism and the government's response to terrorism. Each of us may have his or her own views on these subjects.

It is important for the jurors to understand that these general subjects are NOT the subject of the Indictment in this case, which charges the defendant with specific crimes. Nonetheless, would anything about your views regarding these subjects affect your ability to be fair and impartial to either the government or the defendant in this case?

☐ Yes ☐ No

If yes, please explain_____

47. Without revealing the names of these individuals, do you personally know anyone who was killed or injured in any terrorist attack, including the September 11, 2001 attacks, the attacks in Oklahoma City, bombings on the USS Cole, U.S. Embassy bombings in Kenya and Tanzania, or any other terrorist attack domestic or abroad?

☐ Yes

☐ No

If yes, please explain_____

PART III: QUESTIONS CONCERNING IMPORTANT LEGAL PRINCIPLES

(Questions 50 through 57)

Part III explains some of the fundamental legal principles on which the Court will give instructions during the trial. If you believe you may not be able to follow these principles, you must inform the Court through your answers below.

48. The defendant is presumed innocent and cannot be convicted unless the jury, unanimously and based solely on the evidence in this case, decides his guilt has been proven beyond a reasonable doubt. The burden of proving guilt rests entirely with the government. The defendant has no burden of proof at all.

Will you accept and apply this rule of law?

☐ Yes ☐ No

If no, please explain _____

49. Under the law, a defendant need not testify or offer any evidence on his or her behalf. If a defendant does neither, the jury is not permitted to consider that fact in any way in reaching a decision as to whether a defendant is guilty or not guilty.

Will you accept and apply this rule of law?

☐ Yes ☐ No

If no, please explain _____

50. Several witnesses in this case will be law enforcement officers. A law enforcement witness's testimony is not to be given any more or less weight than any other witness's testimony simply because that witness is a law enforcement officer.

Will you accept and apply this rule of law?

☐ Yes ☐ No

If no, please explain _____

51. One or more of the government's witnesses in this case are expected to testify that they participated in some of the crimes charged in the indictment, or other crimes, including crimes involving terrorism. These witnesses have pled guilty, and agreed to testify pursuant to cooperation agreements with the government in hopes that their own sentences will be reduced. The Court will instruct you that these agreements are legal, and you may consider them when determining the witness' credibility.

Would you be able and willing to fairly and impartially assess the testimony of such a witness?

☐ Yes ☐ No

If no, please explain _____

52. The evidence in this case may include audio recordings of conversations and meetings, recorded secretly without the knowledge of the participants in the conversations and meetings. Before such evidence is received at trial, the Court will have ruled that the evidence was lawfully obtained and may be presented at trial.

Do you have any feelings about the use of audio recordings that were secretly but lawfully recorded, that might affect your ability to consider such evidence fairly?

☐ Yes ☐ No

If yes, please explain _____

53. Under the law, you must find the defendant not guilty unless the evidence presented proves his guilt beyond a reasonable doubt.

Will you accept and apply this rule of law?

☐ Yes ☐ No

If no, please explain _____

54. Under the law, the facts are for the jury to determine and the law is for the judge to determine. You are required to accept the law as the judge explains it to you even if you do not like the law or disagree with it, and you must determine the facts according to those instructions.

Will you accept and apply this rule of law?

☐ Yes ☐ No

If no, please explain _____

55. Is there anything about the nature of the charges or the facts of the case as they have been explained to you thus far, or anything else that would affect your ability to be a fair and impartial juror in this case?

☐ Yes ☐ No

If yes, please explain: _____

PART IV: QUESTIONS CONCERNING THE MEDIA
(Questions 58 through 60)

56. Have you read any articles or seen any news programs regarding this case or any of the parties (i.e., the defendant or the lawyers) or heard about the case from any other source?

☐ Yes ☐ No

If yes, is there anything about what you have heard that would affect your ability to be a fair and impartial juror in this case?

☐ Yes ☐ No

If yes, please explain _____

57. This case may receive media attention. Will you be able to follow the Court's instruction that you are not to watch television, go on the internet, and/or listen to or watch any media coverage regarding this case and that the only information you are permitted to consider is that which is presented in court?

☐ Yes ☐ No

If no, please explain _____

58. Will you be able to follow the Court's instruction that you are not to discuss this case with anyone, and are not to use any communication device or medium – such as Facebook, Twitter or blogs – to send or receive information about this case?

☐ Yes ☐ No

If no, please explain _____

PART V: YOUR SCHEDULE

The Court and the parties estimate that after a jury is selected, this case may last approximately ____, with the Court sitting Monday through Thursday beginning no sooner than ____.

Jury service is one of the highest duties and privileges of a citizen of the United States. Mere inconvenience or the usual financial hardships of jury service will be insufficient to excuse a prospective juror.

Do you wish to apply to the Court to be excused on the ground that jury service would be a serious hardship?

☐ Yes

☐ No

If yes, briefly explain the hardship.

Attachment A

[Names]

Juror # _____